

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow Affordable Housing Discretionary Water and Sewer Fee Waivers

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 35-A MRSA §6105, sub-§3-A is enacted to read:

3-A. Rates; affordable housing. Notwithstanding subsection 3 and section 703, the governing body may establish and file a lower rate, toll or charge than the regular rates, tolls and charges or waive the full amount of the rate, toll or charge for water service used by or available to residents of affordable housing as defined in Title 30-A, section 5246. Any reduction in or waiver of the rate, toll or charge pursuant this subsection must be credited directly to the customer account associated with the affordable housing.

Sec. 2. 38 MRSA §1202-A is enacted to read:

§ 1202-A. Rates; affordable housing

Notwithstanding section 1202, a sanitary district may establish a lower rate, toll, rent or entrance charge than the regular rates, tolls, rents and entrance charges or waive the full amount of the rate, toll, rent or entrance charge for sewer or drainage service used by or available to residents of affordable housing as defined in Title 30-A, section 5246. Any reduction in or waiver of the rate, toll, rent or entrance charge pursuant this section must be credited directly to the customer account associated with the affordable housing.

Sec. 3. 38 MRSA §1252, sub-§12 is enacted to read:

12. Rates; affordable housing. A sewer district may establish a lower rate than the regular rate or waive the full amount of the rate for sewer or drainage service used by or available to residents of affordable housing as defined in Title 30-A, section 5246. Any reduction in or waiver of the rate pursuant this subsection must be credited directly to the customer account associated with the affordable housing.

SUMMARY

Current law requires that rates charged by water, sewer and sanitary districts are uniform within the territory of the district whenever the cost of service is uniform. This bill provides an exception to the uniform rate requirement for affordable housing. Specifically, the bill grants water, sewer and sanitary districts the authority to reduce or waive the rates charged to affordable housing properties within the districts. The bill also requires that the reduction in the rates is credited directly to the associated customer account.